

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)
)
)
V.) **CR. No.: 1:06po189-CSC**
)
SAM CHILDREE)

SECOND UNOPPOSED MOTION TO CONTINUE TRIAL

COMES NOW the Defendant, **SAM CHILDREE**, through undersigned counsel, Donnie Bethel, pursuant to 18 U.S.C. 3161 §§ (h)(8)(A) and (h)(8)(B), and respectfully moves the Court for an Order continuing this matter from the January 2007 Trial Docket. In support of this motion, the Defendant would show the following:

1. On October 19, 2006, Mr. Childree submitted a request for pretrial diversion in this case. Special Assistant United States Attorney Capt Nate Golden recommended to Assistant United States Attorney Kent Brunson that Mr. Childree's request be approved. This case has now been forwarded from the United States Attorney's Office to the United States Probation Office in Dothan, AL, for the required investigation. That investigation will not be complete before the scheduled trial date of January 8, 2007.

2. For the foregoing reasons, Capt Golden concurs with Mr. Childree's Motion to Continue.

WHEREFORE, Defendant respectfully requests that this Motion to Continue be

granted.

Dated this 19th day of December, 2006.

Respectfully submitted,

s/ Donnie W. Bethel
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CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Kent B. Brunson, Esq.
Assistant United States Attorney
One Court Square, Suite 201
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Nathan T. Golden
Department Of The Army
Office of Staff Judge Advocate
Military Justice (ATZQ-SJA-MJ)
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Respectfully submitted,

s/ Donnie W. Bethel
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